

ORDINANCE NUMBER 18-12

**AN ORDINANCE OF THE CITY OF WESTFIELD AND WASHINGTON
TOWNSHIP, HAMILTON COUNTY, INDIANA CONCERNING AMENDMENT TO
THE JUNCTION PLANNED UNIT DEVELOPMENT DISTRICT AND THE UNIFIED
DEVELOPMENT ORDINANCE**

This is an ordinance to amend the Unified Development Ordinance of the City of Westfield and Washington Township, Hamilton County, Indiana (the "Unified Development Ordinance"), enacted by the City of Westfield pursuant to its authority under the laws of the State of Indiana, Ind. Code § 36-7-4 et seq., as amended.

WHEREAS, the City of Westfield, Indiana (the "City") and the Township of Washington, both of Hamilton County, Indiana are subject to the Unified Development Ordinance;

WHEREAS, the Common Council enacted Ordinance No. 14-22, The Junction Planned Unit Development District (the "Junction PUD Ordinance") on July 14, 2014;

WHEREAS, the Council subsequently adopted Ordinance No. 15-41, the Junction PUD Amendment on December 14, 2015;

WHEREAS, the Westfield-Washington Advisory Plan Commission (the "Commission") considered **Petition No. 1805-PUD-10** (the "Petition"), requesting an amendment to the Unified Development Ordinance and the Zoning Map with regard to the subject real estate more particularly described in **Exhibit A**, attached hereto (the "Real Estate"); and

WHEREAS, the Commission forwarded the **Petition No. 1805-PUD-10** to the Common Council of the City of Westfield, Hamilton County, Indiana (the "Common Council") with a _____ recommendation (xx-xx) in accordance with Indiana Code § 36-7-4-608, as required by Indiana Code § 36-7-4-1505; and

WHEREAS, the Secretary of the Commission certified the action of the Commission to the Common Council on _____, 2018; and

WHEREAS, the Common Council is subject to the provisions of the Indiana Code §36-7-4-1507 and Indiana Code § 36-7-4-1512 concerning any action on this request; and

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Westfield, Hamilton County, Indiana, meeting in regular session, that the Junction PUD Ordinance, Unified Development Ordinance, and Zoning Map, are hereby amended as follows:

Section 1. Applicability of Ordinance.

- 1.1 This Ordinance shall amend the Junction PUD Ordinance, as applicable to the Real Estate. Development of the Real Estate shall be governed by (i) the

COPY

provisions of this Ordinance and its exhibits, (ii) The Junction PUD Ordinance; and (iii) the provisions of the Unified Development Ordinance, as amended and applicable to the Underlying Zoning District or a Planned Unit Development District, except as modified, revised, supplemented or expressly made inapplicable by this Ordinance or The Junction PUD Ordinance, as amended.

- 1.2 Chapter ("Chapter") and Article ("Article") cross-references of this Ordinance shall hereafter refer to the section as specified and referenced in the Unified Development Ordinance.
- 1.3 All provisions and representations of (i) the Unified Development Ordinance or (ii) The Junction PUD Ordinance that conflict with the provisions of this Ordinance are hereby made inapplicable to the Real Estate and shall be superseded by the terms of this Ordinance.

Section 2. **Definitions.** Capitalized terms not otherwise defined in this Ordinance or the Junction PUD Ordinance shall have the meanings ascribed to them in the Unified Development Ordinance.

Section 3. **Development Standards.**

Sign Standards. Signage shall be installed in compliance with the Illustrative Character Exhibit, attached hereto and incorporated herein as **Exhibit B.**

This amendment only applies to the following signs, as labeled and identified in **Exhibit B:**

- A. Sign H, Entrance Sign
- B. Sign I, Wall Sign
- C. Sign J, Wall Sign
- D. Sign K, Circulation Sign
- E. Sign K1, Circulation Sign
- F. Sign M, Under Canopy Sign

All other signs depicted in **Exhibit B** are already permitted by Ordinance 14-22, Ordinance 15-41, and the Unified Development Ordinance and are included in **Exhibit B** for reference only.

[SIGNATURE PAGE IMMEDIATELY FOLLOWS.]

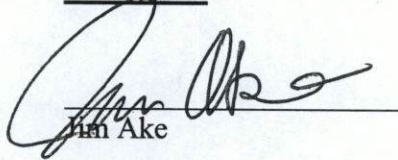
ALL OF WHICH IS ORDAINED/RESOLVED THIS 23 DAY OF April, 2018.

WESTFIELD CITY COUNCIL

Voting For

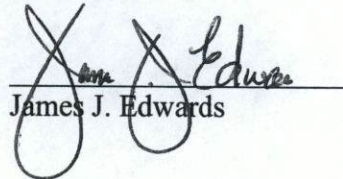
Voting Against

Abstain


Jim Ake

Jim Ake

Jim Ake


James J. Edwards

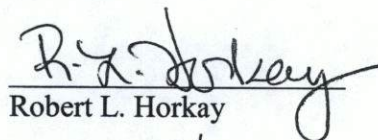
James J. Edwards

James J. Edwards

Steven Hoover

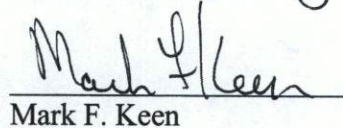
Steven Hoover

Steven Hoover


Robert L. Horkay

Robert L. Horkay

Robert L. Horkay


Mark F. Keen

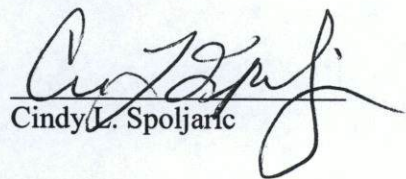
Mark F. Keen

Mark F. Keen

Charles Lehman

Charles Lehman

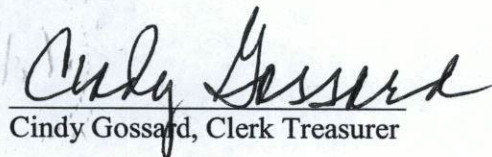
Charles Lehman


Cindy L. Spoljaric

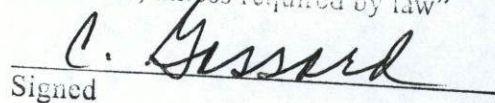
Cindy L. Spoljaric

Cindy L. Spoljaric

ATTEST:

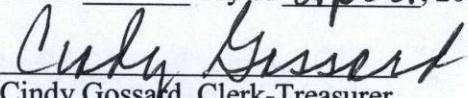

Cindy Gossard, Clerk Treasurer

"I affirm, under the penalties of perjury,
that I have taken reasonable care to redact
each Social Security number in this
document, unless required by law"


Signed

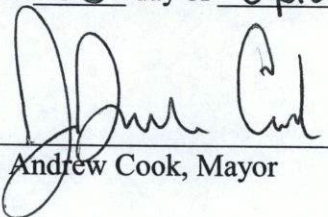
I hereby certify that **ORDINANCE 18-12** was delivered to the Mayor of Westfield

on the 23 day of April, 2018, at 9:30 AM.


Cindy Gossard, Clerk-Treasurer

I hereby **APPROVE ORDINANCE 18-12**

this 23rd day of April, 2018.


J. Andrew Cook, Mayor

I hereby **VETO ORDINANCE 18-12**

this _____ day of _____, 2018.

J. Andrew Cook, Mayor

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law: Caleb Ernest

This document prepared by: Caleb Ernest

SCHEDULE OF EXHIBITS

Exhibit A Real Estate (Legal Description)

Exhibit B Illustrative Character Exhibit

EXHIBIT A
REAL ESTATE

PART OF THE SOUTHEAST QUARTER OF SECTION 36, TOWNSHIP 19 NORTH, RANGE 3 EAST IN HAMILTON COUNTY, INDIANA BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 36, TOWNSHIP 19 NORTH, RANGE 3 EAST; THENCE ON THE SOUTH LINE OF SAID SOUTHEAST QUARTER NORTH 89 DEGREES 26 MINUTES 12 SECONDS EAST (ASSUMED BEARING) 856.74 FEET TO THE WEST LINE OF THE TRACT OF REAL ESTATE DESCRIBED IN INSTRUMENT No. 200400013188; THENCE ON SAID WEST LINE THE FOLLOWING 3 COURSES: 1) NORTH 00 DEGREES 24 MINUTES 03 SECONDS WEST 36.10 FEET TO A 5/8 STEEL REBAR WITH A YELLOW CAP STAMPED "MILLER SURVEYING" TO THE POINT OF BEGINNING OF THIS DESCRIPTION; 2) NORTH 00 DEGREES 24 MINUTES 03 SECONDS WEST 166.90 FEET TO A 5/8 STEEL REBAR WITH A YELLOW CAP STAMPED "MILLER SURVEYING"; 3) THENCE SOUTH 89 DEGREES 26 MINUTES 12 SECONDS WEST 245.24 FEET TO A 5/8 STEEL REBAR WITH A YELLOW CAP STAMPED "MILLER SURVEYING" ON THE EAST RIGHT OF WAY LINE OF STATE ROAD No. 31; THENCE ON SAID EAST RIGHT OF WAY LINE NORTH 60 DEGREES 12 MINUTES 13 SECONDS WEST 26.57 FEET TO A 5/8 STEEL REBAR WITH A YELLOW CAP STAMPED "MILLER SURVEYING"; THENCE ON SAID EAST RIGHT OF WAY LINE NORTH 01 DEGREES 17 MINUTES 53 SECONDS WEST 348.84 FEET TO A 5/8 STEEL REBAR WITH A YELLOW CAP STAMPED "MILLER SURVEYING"; THENCE ON SAID RIGHT OF WAY LINE NORTH 20 DEGREES 11 MINUTES 31 SECONDS WEST 50.65 FEET TO A 5/8 STEEL REBAR WITH A YELLOW CAP STAMPED "MILLER SURVEYING"; THENCE NORTH 87 DEGREES 00 MINUTES 13 SECONDS EAST 55.72 FEET TO A 5/8 STEEL REBAR WITH A YELLOW CAP STAMPED "MILLER SURVEYING"; THENCE NORTH 00 DEGREES 49 MINUTES 59 SECONDS WEST 38.62 FEET TO A 5/8 STEEL REBAR WITH A YELLOW CAP STAMPED "MILLER SURVEYING"; THENCE NORTH 88 DEGREES 18 MINUTES 37 SECONDS EAST 91.54 FEET TO A 5/8 STEEL REBAR WITH A YELLOW CAP STAMPED "MILLER SURVEYING"; THENCE NORTH 00 DEGREES 03 MINUTES 54 SECONDS EAST 53.90 FEET TO A 5/8 STEEL REBAR WITH A YELLOW CAP STAMPED "MILLER SURVEYING"; THENCE NORTH 89 DEGREES 53 MINUTES 15 SECONDS EAST 526.08 FEET TO A MAG NAIL; THENCE SOUTH 00 DEGREES 17 MINUTES 53 SECONDS WEST 455.93 FEET TO A MAG NAIL; THENCE NORTH 89 DEGREES 58 MINUTES 28 SECONDS WEST 25.80 FEET TO A 5/8 STEEL REBAR WITH A YELLOW CAP STAMPED "MILLER SURVEYING"; THENCE SOUTH 00 DEGREES 33 MINUTES 48 SECONDS EAST 99.00 FEET TO A 5/8 STEEL REBAR WITH A YELLOW CAP STAMPED "MILLER SURVEYING"; THENCE SOUTH 06 DEGREES 04 MINUTES 09 SECONDS WEST 43.29 FEET TO A 5/8 STEEL REBAR WITH A YELLOW CAP STAMPED "MILLER SURVEYING"; THENCE SOUTH 26 DEGREES 56 MINUTES 55 SECONDS WEST 54.12 FEET TO A 5/8 STEEL REBAR WITH A YELLOW CAP STAMPED "MILLER SURVEYING"; THENCE SOUTH 58 DEGREES 28 MINUTES 22 SECONDS WEST 46.65 FEET TO A 5/8 STEEL REBAR WITH A YELLOW CAP STAMPED "MILLER SURVEYING"; THENCE SOUTH 89 DEGREES 26 MINUTES 12 SECONDS WEST 373.99 FEET TO THE POINT OF BEGINNING, CONTAINING 8.63 ACRES MORE OR LESS. EXCEPTING THEREFORM EXISTING AND PROPOSED RIGHT-OF-WAY FOR MAIN STREET AND SHAMROCK BOULEVARD FOR A NET ACREAGE OF 8.49 ACRES MORE OR LESS.

EXHIBIT B

ILLUSTRATIVE CHARACTER EXHIBIT